

ANNEX: EGYPT

INTERNATIONAL INTELLECTUAL PROPERTY ALLIANCE (IIPA)

2018 SPECIAL 301 REPORT ON COPYRIGHT PROTECTION AND ENFORCEMENT

Egypt needs to modernize its copyright regime, including ratifying and properly implementing the WIPO Internet Treaties—the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT). In addition, its laws are antiquated and in need of significant reforms, including the Intellectual Property (Copyright) Law, the Civil and Commercial Procedural Code (No. 13) of 1968, and the Evidentiary Code (No. 25) of 1968. There were no copyright-related law reforms enacted in 2017.

Some IIPA members report that there was no change in the levels of piracy, or enforcement against piracy, in 2017. In June 2017, the General Directorate for the Censorship of Artistic Works (GDCAW), announced it had initiated over 2,300 IPR cases, and that of these, approximately 1,075 pertained to unauthorized broadcasts and satellite channel infringements. A number of these unlicensed satellite channels include unlicensed broadcasts of U.S. audiovisual works. In addition, unlawful decryption of encrypted signals remains an endemic problem.

Copyright piracy in Egypt is widespread, including unauthorized websites, BitTorrent files and sites, and indexing websites. Piracy has spread in recent years, in part because of the growth of more sophisticated piracy organizations and increases in the number of mobile devices and other technological advances. Most Internet Service Providers (ISPs) do not respond to takedown notices.

Enforcement generally remains a problem. Cases drag on for years without resolution (two to three years on average for civil cases), and court procedures require experts to identify infringing material even though there are few qualified experts. The industries report continued cooperation with enforcement officials, including the Public Prosecutors Office and with Customs authorities. One positive step, taken many years ago, was the establishment of an Economic Court to allow IPR cases to be heard by experienced judges (more expert than the general commercial courts). But the noted procedural hurdles and delays have hindered the effectiveness of this court. Another bright spot has been the management of the Copyrights and Artistic Works Investigation Unit of the Ministry of Interior, which undertakes *ex officio* actions against piracy.

IIPA concurs with the U.S. Government's recommendation (in the April 2017 Special 301 Report) on the need to "provide *ex officio* authority for customs officials to seize counterfeit and pirated goods at the border" and to "provide deterrent-level penalties for IP violations." There have been, as noted, some successes (in 2016) in shutting down a few of the satellite channels showing pirated films.

IIPA members recommend four priorities in 2018: (i) to allow the establishment and operation of collecting societies in Egypt under the Intellectual Property Law (No. 82 of 2002, as amended, to administer music performance rights and to ensure a framework to protect exclusive rights); (ii) to create an expeditious content review procedure for clearing book titles for sale in the market, including properly resourcing the Copyright Office in the Ministry of Culture to create a central database of cleared titles to avoid repetition; (iii) to augment enforcement against signal theft; and (iv) to urge the Economic Court, where appropriate, to make use of the full range of penalties available under the IPR laws in order to deter infringements (recent practices have assessed only minimal fines and no imprisonments for commercial-scale infringements).

IIPA last filed a country report on Egypt in 2013. At that time, IIPA recommended that Egypt be placed on the [Watch List](#). Egypt is currently on the [Watch List](#).

